

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**MISSISSIPPI ASSOCIATION OF  
EDUCATORS, ET AL.**

**PLAINTIFFS**

**VS.**

**CIVIL ACTION NO. 3:25-cv-00417-HTW-LGI**

**BOARD OF TRUSTEES OF STATE  
INSTITUTIONS OF HIGHER LEARNING, ET AL.**

**DEFENDANTS**

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**DEFENDANTS' RESPONSE/NOTICE OF NON-OPPOSITION TO PLAINTIFFS'  
MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT [ECF #60]**

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All Defendants, by and through counsel, file this their response/notice of non-opposition to Plaintiffs' motion for leave to file a second amended complaint [ECF #60], and hereby state as follows:

While reserving, and without waiving, any and all defenses to Plaintiffs' second amended complaint, including but not limited to any defenses to be asserted by any future motion filed pursuant to Rule 12, Defendants do not oppose the motion for leave to amend [ECF #60].

THIS the 5th day of August, 2025.

Respectfully submitted,

LYNN FITCH, IN HER OFFICIAL CAPACITY  
AS ATTORNEY GENERAL OF MISSISSIPPI;  
GEE OGLETREE, IN HIS OFFICIAL CAPACITY  
AS PRESIDENT OF THE BOARD OF  
TRUSTEES OF STATE INSTITUTIONS OF  
HIGHER LEARNING; STEVEN CUNNINGHAM,  
AMY ARRINGTON, DONALD CLARK, JR.,  
ORMELLA CUMMINGS, JERRY L. GRIFFITH,  
JIMMY HEIDELBERG, TERESA HUBBARD,  
BRUCE MARTIN, HAL PARKER, GREGG  
RADER, AND CHARLIE STEPHENSON, ALL  
IN THEIR OFFICIAL CAPACITIES AS

MEMBERS OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; JOHN PIGOTT, IN HIS OFFICIAL CAPACITY AS CHAIR OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD; CHERYL THURMOND, VIDET CARMICHAEL, DONNIE CAUGHMAN, BUBBA HUDSPETH, DOLLY MARASCALCO, JOHNNY MCRIGHT, LUKE MONTGOMERY, WILL SYMMES, AND DIANNE WATSON, ALL IN THEIR OFFICIAL CAPACITIES AS MEMBERS OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD; GLEN EAST, IN HIS OFFICIAL CAPACITY AS CHAIR OF THE MISSISSIPPI STATE BOARD OF EDUCATION; MATT MILLER, LANCE EVANS, WENDI BARRETT, MATT MAYO, BILL JACOBS, RONNIE MCGEHEE, MIKE PRUITT, BILLYE JEAN STROUD, AND MARY WERNER, ALL IN THEIR OFFICIAL CAPACITIES AS MEMBERS OF THE MISSISSIPPI STATE BOARD OF EDUCATION; MARCY SCOGGINS, IN HER OFFICIAL CAPACITY AS CHAIR OF THE MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD; AND JAY CARNEY, SANDRA MCKIERNON, ERIN MEYER, BEN MORGAN, CANDACE ROBINS, AND JENNIFER JACKSON WHITTIER, ALL IN THEIR OFFICIAL CAPACITIES AS MEMBERS OF THE MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD, DEFENDANTS

By: LYNN FITCH, ATTORNEY GENERAL  
STATE OF MISSISSIPPI

By: s/Rex M. Shannon III  
REX M. SHANNON III (MSB #102974)  
Special Assistant Attorney General

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ATTORNEYS FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

I, Rex M. Shannon III, Special Assistant Attorney General and attorney for the above-named defendants, do hereby certify that I have this date caused to be filed with the Clerk of the Court a true and correct copy of the above and foregoing via the Court's ECF filing system, which sent notification of such filing to all counsel of record.

THIS the 5th day of August, 2025.

s/Rex M. Shannon III  
REX M. SHANNON III